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8
9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 *****

12 WESCO INSURANCE COMPANY as subrogee
13 of its insured NICKELS AND DIMES
14 INCORPORATED,

15 Case No.: 2:16-cv-01206-JCM-EJY

16 Plaintiff,

17 vs.
18 SMART INDUSTRIES CORPORATION dba
19 SMART INDUSTRIES CORP., MFG., an Iowa
20 corporation,
21 Defendants.

22 CONSOLIDATED FOR PURPOSES OF
23 DISCOVERY AND TRIAL

24 JENNIFER WYMAN, individually; BEAR
25 WYMAN, a minor, by and through his natural
parent JENNIFER WYMAN; JENNIFER
26 WYMAN and VIVIAN SOOF, as Joint Special
Administrators of the ESTATE OF CHARLES
27 WYMAN; and SARA RODRIGUEZ natural
parent and guardian ad litem of JACOB WYMAN,

28 Case No.: 2:16-cv-02378-JCM-EJY

29 **STIPULATION AND ORDER FOR
30 EXTENSION OF TIME FOR
31 DEFENDANT SMART TO TAKE
32 CERTAIN DEPOSITIONS (Fifth Request)**

33 Plaintiffs,
34 vs.
35 SMART INDUSTRIES CORPORATION dba
36 SMART INDUSTRIES CORP., MFG, an Iowa
37 Corporation; HI-TECH SECURITY INC, a
38 Nevada Corporation; WILLIAM ROSEBERRY;
39 BOULEVARD VENTURES, LLC, a Nevada
40 Corporation; DOES 1 through 10; BUSINESS
41 ENTITIES I through V; and ROE
42 CORPORATIONS 11 through 20, inclusive,

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1 Defendants.

2 HI-TECH SECURITY INC; and WILLIAM
ROSEBERRY,

3 Third-Party Plaintiffs,

4 vs.

5 NICKELS AND DIMES INCORPORATED,

6 Third-Party Defendants.

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8 On February 19, 2020, this Court issued an Order (ECF No. 199) stating that “discovery is
9 reopened for a period of 45 days, beginning from the date of this Order, for the sole and exclusive
10 purpose of allowing Smart Industries to depose Samir Bangalore, M.D. as a fact witness, Jerry
11 Andrews as a fact witness, Lisa Gavin, as a fact witness, and Person Most Knowledgeable for the
12 Clark County Coroner/Medical Examiner, and the Person(s) Most Knowledgeable for Sunrise
13 Hospital, Affordable Cremation & Burial, and the Clark County Fire Department.” ECF No. 199 at
14 19. On March 23, 2020, this Court issued an Order (ECF No. 237) extending that period of time by
15 60 days. On April 20, 2020, this Court issued an Order (ECF No. 251) extending that period of time
16 by 30 days. On June 2, 2020, this Court issued an Order (ECF No. 261) extending that period of time
17 by 30 days. On June 30, 2020, this Court issued and Order (ECF No. 265) extending the period of
18 time to take the deposition of Lisa Gavin, MD through July 27, 2020.

19 Due to a change in the schedule of a family member’s medical procedure, counsel for Smart
20 Industries, Inc. needs to reschedule the deposition of Dr. Gavin. With this Court’s approval, the parties
21 hereby agree that the deadline for Smart Industries to depose Lisa Gavin, as a fact witness, shall be
22 extended by an additional 35 days, or such other time as deemed appropriate by the Court. As such,
23 the deadline provided for Smart Industries to take the deposition of Dr. Gavin shall conclude on
24 August 31, 2020. All other deposition previously allowed by the court have been completed.

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This Stipulation is submitted in good faith and is not interposed for purposes of delay. This is the fifth request to extend the discovery deadline for the sole purpose of allowing Smart Industries to depose Lisa Gavin, as a fact witness.

Respectfully submitted,

Dated this 24th day of July, 2020,

BARRON & PRUITT, LLP

Dated this 28th day of July, 2020,

EGLET ADAMS

/s/ Joseph R. Meservy
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Dated this 28th day of July, 2020,

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Case No. 2:16-cv-02378-JCM-EJY
Stipulation and Order for Extension of
Time for Defendant Smart to
Take Certain Depositions
(Second Request)

ORDER

Based upon the Stipulation of the parties hereto, and with good cause appearing therefor,
IT IS HEREBY ORDERED, that the Stipulation to Extend hereinabove is hereby Granted.
DATED this 29th day of July, 2020.

Leyna J. Zouchah
UNITED STATES MAGISTRATE JUDGE